S.B.Cr.Misc. Bail App. No.4739/2007

(Manohar Singh alias Sher Singh vs. State of Rajasthan)

Date of order : September 24, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Pradeep Shah, for the petitioner.
Mr.Ashok Upadhyaya, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and the challan papers.

It is contended by the learned counsel for the petitioner that no overt act has been assigned to the petitioner. The petitioner has not inflicted any injury to the deceased. The injuries alleged to have been inflicted to the deceased have been assigned to accused Karan Singh by sword on the neck of the deceased and by Hukum Singh on the leg of the deceased by iron rod. It is further contended by the learned counsel for the petitioner that similarly situated co-accused Bhupindra Rawal has been granted bail by this Court vide order dt. 17.9.2007.

Having regard to the facts and circumstances of the case and the fact that no overt act has been assigned to the petitioner and injuries alleged to have been inflicted by Karan Singh and

Hukum Singh and the fact that similarly situated co-accused Bhupindra Rawal has been granted bail, I consider it just and proper to enlarge the accused petitioner on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Manohar Singh alias Sher Singh s/o Tej Singh Rao be released on bail in FIR No.171/2007, P.S. Surajpole, Udaipur provided he furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

m.asif/-